



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SHIRLEY *et al.* Examiner: Kosowski, Alexander J.
Serial No.: 10/010,412 Group Art Unit: 2125
Filed: December 7, 2001 Docket No.: AMDA.499C1 (TT4002C)
Allowed: September 27, 2006 Confirmation No.: 6042
Title: MASK IDENTIFICATION DATABASE SERVER

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 23, 2006.

By: 

Kelly S. Waltigney

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing executed Certificate of Mailing under 37 C.F.R. § 1.8.
- ☒ Please charge Deposit Account No. 01-0365 (TT4002C) the amount of \$1,400.00 for the Issue Fee.
- ☒ Part B-Issue Fee Transmittal
- ☒ "Fee Address" Indication Form.
- ☒ Amendment after Allowance (5 sheets).
- ☒ Comments on Statement of Reasons for Allowance.
- ☒ If appropriate, charge Deposit Account No. 01-0365 (TT4002C) for any fee deficiency or overage.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers.

CRAWFORD MAUNU PLLC
1270 Northland Drive
Suite 390
St. Paul, MN 55120
(651) 686-6633

By: 

Name: Robert J. Crawford
Reg. No.: 32,122



PATENT

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
c/o Technology Center 2100
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No.

40581

Dear Sir:

The Examiner's statement for allowance could be construed to imply that the claimed invention was allowed because the reference of record did not disclose certain aspects of the invention. The characterized aspects, however, if indeed found in the prior art, would not render the claimed invention invalid under §102 because the claimed invention includes a number of other limitations. With respect to §103, the rigors of establishing a *prima facie* case of obviousness include not only showing that the prior art teaches the entire claimed invention (all limitations are to be considered), but also that combining the various prior art references is suggested in the art or that there would be motivation to make the combination. The Reasons provided do not appear to be necessarily inconsistent herewith.

Unless Applicant hears otherwise, Applicant's comments herein are, as intended, clarifying in a manner consistent with the law.

Respectfully submitted,

CRAWFORD MAUNU PLLC
1270 Northland Drive, Suite 390
St. Paul, Minnesota 55120
(651) 686-6633

By: 

Robert J. Crawford
Reg. No.: 32,122